

Filiberto Agusti
202 429 6428 direct
202 261 7512 fax
fagusti@steptoe.com

Steptoe

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com

March 1, 2022

Hon. Jesse M. Furman
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *Eddystone Rail Company, LLC v. Jamex Transfer Services, LLC*
Case No. 1:17-cv-01266-WHP

Dear Judge Furman:

The undersigned respectfully submit this joint letter in response to the Court's August 9, 2021 Order (Dkt. 75) requiring an update on the status of litigation currently pending in the United States District Court for the Eastern District of Pennsylvania. *See Eddystone Rail Co., LLC v. Bridger Logistics LLC et al.*, Case No. 2:17-cv-00495 (E.D. Pa. 2017) (the "Pennsylvania Action"). To date, the parties to the Pennsylvania Action have completed discovery, and on December 23, 2021 finished briefing summary judgment and *Daubert* motions. No trial date has yet been set. The parties expect the court in the Pennsylvania Action to schedule further proceedings after it has had the opportunity to consider the outstanding motions.

/s/ T. Ray Guy
T. Ray Guy, Esq.
tguy@fbtlaw.com

Frost Brown Todd, LLC
Rosewood Court
2101 Cedar Springs Road, Suite 900
Dallas, TX 75201
(214) 545-5933
COUNSEL FOR RESPONDENT

/s/ Fil Agusti
Filiberto Agusti
fagusti@steptoe.com
Steven J. Barber
sbarber@steptoe.com

Steptoe & Johnson LLP
1330 Connecticut Ave., N.W.
Washington, DC 20036
(202) 429-3000
COUNSEL FOR PETITIONER